

GARDEREattorneys and counselors • www.gardere.com**RECEIVED
CENTRAL FAX CENTER**

MAY 20 2005

Fax

DATE May 20, 2005

TO	COMPANY	PHONE NO.	FAX NO.
Commissioner for Patents	USPTO		(703) 872-9306
<hr/>			
FROM	Karl L. Larson	klarson@gardere.com	
DIRECT LINE	214-999-4582		
DIRECT FAX	214-999-3582		
CLIENT/MATTER NO.	124023-1000		
TOTAL PAGES (including cover)	3		

If you have any problems with this transmission, please call 214.999.4582.

Is this for Court filing? No

Please indicate local time deadline:

Confirmation Requested: YES

COMMENTS:

Re: Application No: 09/779,798

Document(s) following:

- Request for Permission to Withdraw as Attorneys of Record, 2 pp.

Confidentiality Note: The documents accompanying this facsimile contain information from the law firm of Gardere Wynne Sewell LLP which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying distribution or the taking of any action in reliance on the contents of this facsimile is strictly prohibited, and that the documents should be returned to this Firm immediately. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original document to us at no cost to you.

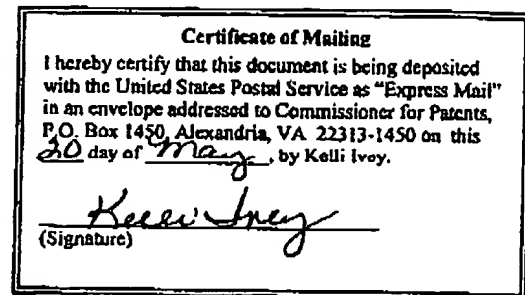
GARDERE WYNNE SEWELL LLP

3000 Thanksgiving Tower, 1601 Elm Street, Dallas, Texas 75201-4761 • 214.999.3000 Phone • 214.999.4667 Fax

MAY 20 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/779,798
First Named Inventor : Don Spyker
Filing Date: : February 8, 2001
Group Art Unit : 3626
Examiner : Gottschalk, Martin A.
Confirmation No. : 6749
For: : Network Based Fitness System



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEYS OF RECORD

In accordance with 37 C.F.R. §1.36(b), the undersigned attorney on behalf of all counsel of record and Gardere Wynne Sewell LLP apply to withdraw as attorneys of record in the above-identified matter. Notice of intention to withdraw as attorneys herein was given to Mark J. Geiger, C.E.O. and President, BFA Network, Inc., by letter dated March 11, 2005.

The last known mailing address of the client is BFA Network, Inc., 4835 O'Connor Blvd., Suite 120, Irving, Texas 75062.

The basis for the request for withdrawal is BFA Network, Inc. satisfies the requirements of 37 C.F.R. § 10.40 (c)(1)(vi). 37 C.F.R. § 10.40(c)(1)(vi) permits withdrawal if the petitioner's client:

"Has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time or has failed to honor an agreement to pay a retainer in advance of the performance of legal services."

It is believed that the client has been given reasonable notice of the intention to withdraw as attorneys, and it is respectfully requested that this request be granted.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

Date: 5/20/2005
3000 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201-4761
Tel. (214) 999-4582
Fax (214) 999-3582

By: Karl L. Larson
Karl L. Larson
Registration No.: 41,141

DALLAS 1514209v2